

REMARKS

Claims 1 to 17 are currently of record in the present application. All of Claims 1 to 17 were indicated as being allowable if rewritten to overcome the rejection(s) under 35 USC 112, 2nd paragraph. Also, paragraph 0031 was objected to as being unclear.

To address these issues, the Applicant respectfully submits the amended paragraph and amended claims, as set out hereinabove. The Applicant also provides the following comments in respect of each objection or rejection.

Claim Objections

Claims 1 and 15 were objected to because of minor informalities. These informalities have been corrected in the amended claims.

Specification

The disclosure currently stands as being objected to because the previous amendment of paragraph 0031 was unclear. As such, the Applicant has amended paragraph 0031 to clearly establish that it is the first substantially planar region that extends over at least about half of the cover portion. Other portions of the paragraph have been amended to improve the clarity of the paragraph. However, no additional subject matter has been introduced as a result of these clarifications.

Claim Rejections - 35 USC § 112

Claims 1 to 17 currently stand as being rejected under 35 USC § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

In response, the Applicant has amended the phrase "said first planar" to "said first substantially planar region" for consistency throughout the claim, as suggested by the Examiner.

Claims 1 and 16 have been amended to replace the term "accessible" as it applies to the condiment opening and the condiment tab, with the term "formed", again as suggested by the Examiner.

Further, the last line of Claim 1 has been amended to replace the term "cover" with the phrase "cover portion". The Examiner has indicated that Claim 1 appears to be inconsistent with

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the specification with the insertion of "said first planar region extends over at least about half of the surface of said cover". With the amendment to replace "cover" with "cover portion", and with the amendment made to paragraph 0031 discussed hereinabove, the Applicant contends that Claim 1 is consistent with the specification, including paragraph 0031, and the drawings as filed.

The Examiner has also commented that the dependent claims are rejected as being dependent from a rejected base claim. With the amendments made herein, the objections to the dependent claims have now been obviated.

It is believed that with these comments, a full and complete response to the Office Action of May 31, 2005 has now been submitted. Further, it is believed that the present application is now in condition for allowance.

However, should there be any remaining issues, or issues requiring further clarification, the Examiner is requested to contact the undersigned by telephone in order to discuss or clarify any outstanding issues.

Respectfully submitted,

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